



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, MAY 05, 2010
5:30 P.M.**

CALL TO ORDER – 5:30 P.M.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL for submission of Speaker Request Forms

PRESENTATIONS

- Recognition of the 2010 Youth Conference Award from the Mayor and Clean & Beautiful Commission

I. CALL TO THE PUBLIC

**NO LEGAL
ACTION
PERMITTED**

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

A. Approval of minutes of the following City Council meeting(s):

APPROVED 8. 1. Special City Council Meeting March 16, 2010

B. Approval of Staff Recommendations:

Page Item

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

APPROVED 18. 2. **Parks Use Permit Agreement: Yuma River Tubing**

Authorize the execution of a Parks Use Permit Agreement between Yuma River Tubing and the City of Yuma for use of City property for the purpose of operating a commercial water tubing concession within the City. (Parks and Recreation/ Recreation) (Becky Chavez)

APPROVED 25. 3. **Second Agreement Amendment: Diamond Sports and Entertainment, Inc., dba The Golden Baseball League**

Authorize the execution of a second amendment to the Agreement with the Diamond Sports and Entertainment, Inc., dba the Golden Baseball League and the City of Yuma, for use of the Ray Kroc Baseball Complex. (Parks and Recreation/ Administration) (Becky Chavez)

APPROVED 29. 4. **Grant Agreement: City of Tucson - High Intensity Drug Trafficking Area**

Authorize City Staff to sign the Grant Agreement with the City of Tucson for High Intensity Drug Trafficking Area (HIDTA) Grant. (Police/Patrol) (Jerry Geier)

48. 5. Final Plat: 4th Avenue Properties Industrial Park Subdivision, Phase 2
APPROVED

Approve the final plat of 4th Avenue Properties Industrial Park Subdivision, Phase 2. The property is generally located at the northwest corner of 39th Place and 1st Avenue. The applicant is Edias Engineering, on behalf of 4th Avenue Industrial Development, AZ, L.L.C. (S2009-001-02) (Community Development/Community Planning) (Laurie Lineberry)

70. 6. Intergovernmental Agreement Amendment: Yuma County Flood Control District
APPROVED

Authorize the execution of Amendment #1 to the Yuma County Flood Control District Intergovernmental Agreement for Smucker Park Basin. (City Engineering/ Administration) (Paul Brooberg)

SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:

M/_____ S/_____ VV/_____

III. RESOLUTION CONSENT AGENDA

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

75. A. Resolution R2010-24 Development Fee Deferral: Ramiro Camarillo and Brenda Camarillo
ADOPTED

Approve a Development Agreement with Ramiro Camarillo and Brenda Camarillo, deferring Citywide Development Fees and water and sanitary sewer capacity fees for Lot 29, Tillman Estates - Phases II & III subdivision. (City Engineering/ Administration) (Paul Brooberg)

SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

IV. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

ADOPTED 85. A. Ordinance O2010-22 Declare as Surplus and Abandon Rights-of-Way

Authorize a declaration of surplus and the abandonment of portions of the Jones Street and Gila Street rights-of-way to the United States Department of the Interior/Bureau of Reclamation. (City Engineering/Administration) (Paul Brooberg)

SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

V. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

**CONTINUED
TO A
FUTURE RCM** 95. A. Ordinance O2010-23 City Code Amendment: Penalty for False Alarms at Businesses or Residences

Amend the Yuma City Code, Section 111-02(B) to increase the penalty for false alarms at businesses or residences. (Police/Patrol) (Jerry Geier)

INTRODUCED 98. B. Ordinance O2010-24 Easement Right-of-Way Acquisition: 8th Street

Authorize the acquisition of easement right-of-way for 8th Street sanitary sewer construction, between Pima Lane and Raven Avenue. (City Engineering/ Administration) (Paul Brooberg)

105. C. Ordinance O2010-25 Avenue 3¾E Utility Easement Right-of-Way
INTRODUCED

Authorize the acquisition of an easement right-of-way along the Avenue 3¾E alignment for City of Yuma utilities construction, operation and maintenance. (City Engineering/Administration) (Paul Brooberg)

111. D. Ordinance O2010-26 Conveyance of Easements
INTRODUCED

Authorize the conveyance of easements to Arizona Public Service Company for activities related to the development of the Fire Department Training Facility. (City Engineering/Administration) (Paul Brooberg)

VI. FEDERAL COURTHOUSE AND RELATED ITEMS

116. A. Ordinance O2010-27 Declaration of Surplus and Authorization of Sale of Land
INTRODUCED

Declare certain property as surplus and authorize its sale to United States General Services Administration, for the purpose of construction of a federal courthouse. (City Engineering/Administration) (Paul Brooberg)

M/_____ S/_____ RV/_____

122. B. Resolution R2010-25 Repeal Resolution No. R344 and Resolution No. R885
ADOPTED

Repeal Resolution No. R344 and Resolution No. R885 to remove title exceptions from the proposed Federal Courthouse site (City Administration/Yuma Crossing National Heritage Area) (Charles W. Flynn)

M/_____ S/_____ RV/_____

125. C. Resolution R2010-26 Amendment: Resolution R2003-72 Yuma Crossing Design Guidelines
ADOPTED

Approve the Amendment to Resolution R2003-72 (Yuma Crossing Design Guidelines) to exclude the proposed Federal Courthouse site (City Administration) (Charles W. Flynn)

M/_____ S/_____ RV/_____

131. ADOPTED D. Resolution R2010-27 Second Amendment to the Amended and Restated Yuma Riverfront Master and First Phase Development and Disposition Agreement

Approve the Second Amendment to the Amended and Restated Yuma Riverfront Master and First Phase Development and Disposition Agreement with Clark-Lankford LLC (City Administration/Yuma Crossing National Heritage Area) (Charles W. Flynn)

M/_____ S/_____ RV/_____

146. INTRODUCED E. Ordinance O2010-28 Lease Agreement: First Amendment to Yuma Riverfront Development First Phase Land and Improvements Lease

Adopt the First Amendment to Yuma Riverfront Development First Phase Land and Improvements Lease with Clark-Lankford LLC (City Administration/Yuma Crossing National Heritage Area) (Charles W. Flynn)

M/_____ S/_____ RV/_____

VII. PUBLIC HEARINGS & RELATED ACTIONS - NONE

There are no Public Hearings scheduled at this time.

VIII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments to boards, commissions, committees and officers:

**LYNDA BUSHONG
APPOINTED AS
CITY CLERK
EFFECTIVE 5/28/10**

- City Clerk - Lynda Bushong appointed effective 5/28/10
- Library Board of Trustees: one term to expire July 1, 2013

2. Announcements:

REPORTED

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of April 21, 2010 through May 5, 2010. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.

- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

3. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

**SCHEDULED
SWS 5/25/10 AND
5/26/10 AT 2:00PM**

IX. SUMMARY OF CURRENT EVENTS

REPORTED

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

X. EXECUTIVE SESSION

**EXECUTIVE
SESSION
NOT HELD**

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

ADJOURNMENT 6:06 P.M.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.